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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JASMIN V.,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL
14 SECURITY,

15 Defendant.

CASE NO. C19-5066JLR

ORDER ADOPTING REPORT
AND RECOMMENDATION

16 **I. INTRODUCTION**

17 Before the court is the report and recommendation of United States Magistrate
18 Judge Michelle L. Peterson (R&R (Dkt. # 14)), and Plaintiff's objections thereto (Obj.
19 (Dkt. # 15)). Having carefully reviewed the foregoing, along with all other relevant
20 documents and the governing law, the court ADOPTS the report and recommendation
21 and DISMISSES Plaintiff's action with prejudice.
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II. STANDARD OF REVIEW

A district court has jurisdiction to review a magistrate judge's report and recommendation on dispositive matters. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(b)(3). "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). The court reviews de novo those portions of the report and recommendation to which specific written objection is made. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1119 (9th Cir. 2003) (en banc) (citing 28 U.S.C. § 636(b)(1)(C)). "The statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise." *Id.* at 1121. When no objections are filed, the court need not review de novo the report and recommendation. *Wang v. Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir. 2005).

III. DISCUSSION

Plaintiff objects to the report and recommendation's determinations that the ALJ did not harmfully err in discounting Dr. Lee's opinions (Obj. at 1-5), and that any ALJ error at step two of the disability evaluation process is harmless (Obj. at 5-6). Plaintiff's objections do not raise any novel issues that were not addressed by Magistrate Judge Peterson's report and recommendation. (*See generally* R&R.) Moreover, the court has thoroughly examined the record before it and finds Magistrate Judge Peterson's reasoning persuasive in light of that record. Plaintiff essentially reargues the arguments

1 he made to Magistrate Judge Peterson, as well as arguments that Magistrate Judge
2 Peterson thoroughly addressed in the report and recommendation, and the court
3 independently rejects them for the same reasons as Magistrate Judge Peterson.

4 **IV. CONCLUSION**

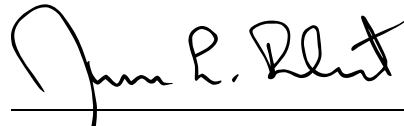
5 For the foregoing reasons, the court hereby ORDERS as follows:

6 (1) The court ADOPTS the Report and Recommendation (Dkt. #14);

7 (2) The Commissioner's final decision is AFFIRMED and this matter is
8 DISMISSED with prejudice;

9 (3) The court DIRECTS the Clerk to send copies of this order to counsel of record
10 and Magistrate Judge Peterson.

11 Dated this 18th day of August, 2019.

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14 JAMES L. ROBART
15 United States District Judge
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